

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

EDWIN ANDINO,	:	
	:	
Petitioner,	:	
	:	
v.	:	No. 5:19-cr-00001-03
	:	
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	

O R D E R

AND NOW, this 29th day of November, 2022, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT:**

The Motion to Vacate Sentence, *see* ECF No. 245, is **DENIED in part as follows:**

1. The Speedy Trial Act claim is **DENIED**. No certificate of appealability will issue on this claim.
2. An evidentiary hearing will be scheduled to address Andino's second claim that challenges his guilty plea, which he asserts was entered after receiving bad information from counsel. The hearing is limited to this issue.
3. Carlos A. Martir, Jr., 118 N. State St., Newtown, PA 18940; 215-731-9886(o); 215-860-0788(c); 215-860-3014(f), carlosmartirlaw@verizon.net, is **APPOINTED** to represent Edwin Andino for the purpose of litigating the motion. *See* U.S.C.S. § 2255 Proc. R. 8(c) (requiring the appointment of counsel when an evidentiary hearing is warranted).
4. A separate notice will be issued scheduling an evidentiary hearing.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge